

MEETINGS TO DATE 20
NO. OF REGULARS 18
NO. OF SPECIALS 2

LANCASTER, NEW YORK
SEPTEMBER 17, 1973

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 17th day of September, 1973 at 8:00 P.M. and there were

PRESENT:

LEO N. WEIMER, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
VICTOR H. OTT, POLICE CHIEF
WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR
JOHN M. COSTELLO, ASSESSOR III

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against installing certain speciality lighting equipment in and along Kennedy Court and Candice Court in the Consolidated Lighting District No. 1 of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS:

ADDRESS

None

OPPOSERS:

ADDRESS

None

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:05 P.M.

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster one (1) Sander Body.

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>	<u>BID</u>
1. P.D. Service, Inc. 1869 Harlem Road Buffalo, New York 14212	\$ 2,596.00
2. Walter M. Roberts Enterprises Inc. 829 Sheridan Drive Tonawanda, New York 14150	\$ 2,510.00

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to Highway Superintendent for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	August, 1973
Police Department	August, 1973
Dog Warden	August, 1973
Ambulance	August, 1973

The Town Clerk reported that the following Board of the Town of Lancaster has filed with him minutes of its meeting as follows:

Planning Board	August 8, 1973 Meeting #13
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COMMITTEE REPORTS:

Councilman Metz, for the Highway Committee, reported that he will sponsor a resolution later in the evening upgrading certain employees in the Highway Department of the Town of Lancaster.

Councilman Barnhardt, for the Planning Committee, reported that he will sponsor a resolution at the next meeting implementing Flood Plain Legislation for the Town of Lancaster.

Councilman Berent, for the Police Committee, presented and read excerpts from the August report of the Ambulance Service of the Town of Lancaster.

Councilman Berent, for the Recreation Committee, reported that he will sponsor a resolution later in the evening requesting a conference with the Village of Lancaster for development of 9½ acres on Richmond Avenue for a Municipal Park.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

IN THE MATTER OF INSTALLING CERTAIN SPECIALITY
LIGHTING EQUIPMENT IN AND ALONG KENNEDY COURT
AND CANDICE COURT IN THE CONSOLIDATED LIGHTING
DISTRICT NO. 1, OF THE TOWN OF LANCASTER, ERIE
COUNTY, NEW YORK

RESOLUTION AND ORDER
AFTER PUBLIC HEARING

WHEREAS, a written petition dated June 23, 1973, praying for
speciality lighting equipment to be installed in and along Kennedy Court and
Candice Court within the Consolidated Lighting District No. 1 of the Town of
Lancaster was duly presented to this Board, and

WHEREAS, an Order was duly adopted by the Town Board on the 4th day
of September, reciting the filing of said petition and the improvements
proposed, the estimated expense thereof, the properties determined to be
benefited and specifying September 17, 1973, at 8:00 P.M. Eastern Daylight
Time, as the time, and the Town Hall of said Town as the place, where said
Board would meet to consider the petition and to hear all persons interested
in the subject thereof concerning the same, and

WHEREAS, such Order was duly posted and published as required by
law, and

WHEREAS, a hearing in the matter was duly held by the Board on this
17th day of September, 1973, commencing at 8:00 o'clock P.M., Eastern Daylight
Time, at the Town Hall in said Town, and no one appearing in opposition thereto,

NOW, THEREFORE, IT IS HEREBY

RESOLVED AND DETERMINED, that:

(a) The petition aforesaid is signed and acknowledged or proved
as required by law; it duly complies with the requirements of the Town Law
as to sufficiency of signatures with respect to this improvement;

(b) It is in the public interest to grant in whole the relief
sought, and

IT IS FURTHER

RESOLVED, DETERMINED AND ORDERED, that the petition requesting

specialty lighting equipment hereby is approved and that the specialty lighting equipment as described in map and plan accompanying said petition be installed in and along Kennedy Court and Candice Court as stated in afore-said petition, within the Consolidated Lighting District No. 1 upon the required funds being made available as provided for, and

IT IS FURTHER

RESOLVED AND ORDERED, that no capital cost is to be expended by the Town Board for installation of said specialty lighting equipment and that installation of said specialty lighting equipment is to be installed by the New York State Electric & Gas Corporation by contract with the Town Board, and

IT IS FURTHER

RESOLVED AND ORDERED, that the expense of the installation of said specialty lighting equipment is to be annually apportioned and assessed upon the several lots and parcels of land within the district in proportion to the amount of benefit which the improvement will confer upon the same, which land benefited is more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 3, Section 11, Township 11, Range 6 of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Subdivision Lots 1 through 32 inclusive as shown under Map Cover 2231 entitled "Kennedy Court Subdivision" as filed in the Office of the Clerk of Erie County

and

IT IS FURTHER

RESOLVED AND ORDERED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this resolution and order duly record a certified copy of the same in the Office of the Clerk of Erie County.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

amx

The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the Minutes of the Regular Meeting of the Town Board
held on September 4, 1973, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duxhux~~
The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Chairman of the Investigating Committee, the Library Board, Highway Superintendent and Town Engineer have investigated certain drainage deficiencies in the parking lot at the rear of the Town Hall, causing surface water infiltration to the Lancaster Branch Library basement, and

WHEREAS, the Town Engineer has rendered a report dated August 24, 1973, setting forth steps necessary to the alleviation of said problem,

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent be and hereby is authorized and directed to perform the remedial work as set forth in the Engineer's report with Town forces under the direction of the Town Engineer, at a cost not to exceed \$700.00, the cost of such work to be drawn from the General Fund Account No. A.00.1620.43.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

^{duly}
The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, the Town Board, on behalf of all the Special Districts and Special Improvement Districts upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

WHEREAS, the Town Board has assessed the amount of said estimates on the several lots against which the expense of the improvement was charged in proportion to the amount of benefit conferred, and

WHEREAS, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing is hereby called and shall be held on the 1st day of October, 1973, at 8:00 o'clock P.M., Eastern Daylight Time, at the Town Hall, Town of Lancaster, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget and to hear all persons interested in the subject matter thereof and concerning the same, and

BE IT FURTHER

RESOLVED, that a Legal Notice of said Public Hearing in the following form be published in the Lancaster Enterprise and the Lancaster-Depew Journal once on September 20, 1973:

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF SPECIAL HEARING
ON 1974 SPECIAL DISTRICTS BUDGET

NOTICE is hereby given that the Town Board of the Town of Lancaster, New York, at a Regular Meeting held on September 17, 1973, completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following Districts:

Water Supply Districts Numbers 1, 2, 3, 4, 5, 7 and 8

Water Supply District Extensions Numbers 4, 5, 7, 8, 9, 10 and 11 to Water District Number 1

Water Supply District Extensions Numbers 1 and 2 to Water District Number 2

Water Supply District Extensions Numbers 2, 3, 4, 5, 6, 7 and 8 to Water District Number 3

Water Supply District Extensions Numbers 1, 2 and 3 to Water District Number 4

Water Supply District Extensions Numbers 1, 2, 3 and 4 to Water District Number 7

Water Supply District Extension Number 1 to Water District Number 8

Master Water Improvement Area

Sanitary Sewer District Number 1 - Glendale and Parkdale

Sanitary Sewer District Number 2

Sanitary Sewer District Number 4

Sanitary Sewer District Extensions Numbers 1, 2, 3 and 4 to Sanitary Sewer District Number 2

Sanitary Sewer Lateral Districts Numbers 1 and 2, and Meadowlea Estates, Markey Avenue, South Broezel, within Sanitary Sewer District Number 2

Kennedy Court Speciality Lighting Lateral to Consolidated Lighting District No. 1

NOTICE is also given that a Public Hearing on such estimates and Assessment Roll will be held on October 1, 1973, at 8:00 o'clock P.M., Eastern Daylight Time, in the Council Chamber of the Town Hall on Central Avenue in the Town and Village of Lancaster, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF LANCASTER, NEW YORK

ROBERT P. THILL
Town Clerk

September 17, 1973

AND BE IT FURTHER

RESOLVED, that said Legal Notice be posted on the Town Bulletin Board, and

BE IT FURTHER

RESOLVED, that affidavits of posting and publication be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon ^{duly} unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Recreation Committee of the Town Board and the Recreation Commission and Town Board of the Town of Lancaster have been acutely aware of the need for expansion of recreational areas to serve the south-central portion of the Town of Lancaster and the southerly portion of the Village of Lancaster, and

WHEREAS, in the recent past, preliminary discussions have been held with Trustees Franger and Lyons and the Recreation Committee of the Town Board concerning a cooperative effort to provide a large enough recreational area, including swimming facilities, to serve the south central areas of both the Village and Town,

NOW, THEREFORE, BE IT

RESOLVED, that the Recreation Committee of the Town Board is hereby authorized and directed to contact, by letter, the Village Board of the Village of Lancaster to request an early meeting of the Recreation Committee of the Town Board with the appropriate committee of the Village Board of the Village of Lancaster to investigate and discuss a total recreational development, as a cooperative venture, including the 9-1/2 acres acquired by the Village of Lancaster at the terminus of Oxford, First and Second Avenues east of Aurora Street, including expansion of the site by acquisition of further property with a well-developed means of access without disturbing residential areas.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

clerk

The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, 2300 George Urban Blvd., Inc., 5067 Transit Road, Depew, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate on the east side of Transit Road in the Town of Lancaster from an RC, Residence-Restricted Business District, to a C2, General Commercial District, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 1st day of October, 1973, at 8:15 o'clock P.M., Eastern Daylight Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise and the Lancaster-Depew Journal, newspapers of general circulation in said Town, and be posted on the Town Bulletin Board and that copy of such Notice of Hearing be referred to the Erie County Department of Planning and to the Town Clerk of the Town of Cheektowaga, New York, at least ten days prior to the date of such public hearing, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 7th day of May, 1973, the said Town Board will hold a Public Hearing on the 1st day of October, 1973, at 8:15 o'clock P.M., Eastern Daylight Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from and RC, Residence-Restricted Business District, to a C2, General Commercial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot Number 11, Section 10, Township 11 and Range 6 according to a survey of the Holland Land Company and further distinguished as being the southerly portion of Pierce Avenue to a depth of 230 feet from the east line of Transit Road, as a 66-foot Highway, together with Subdivision Lots Numbers 4, 5, 6, 7, 8 and 9 in Block 11, according to a map filed in the Erie County Clerk's Office under Cover Number 556, excepting therefrom the westerly 17 feet more or less, heretofore appropriated by the State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: September 17, 1973

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~and~~
The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BERENT , WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, vacancies exist in the position of Election Inspector of
the Town of Lancaster for Election District Nos. 2, 9, and 10 of the
Town of Lancaster due to the resignations of Mildred M. Sandusky,
Ida Kraemer, and Lila Simbeck

NOW, THEREFORE, BE IT

RESOLVED, that the following persons be and are hereby appointed to
the position of Election Inspectors of the Town of Lancaster for the
period September 17, 1973 to June 30, 1974:

Democratic Districts

District 2

Irene Kreinheder
32 Maple Avenue
Lancaster, New York 14086

District 9

Dolores Hudack
14 James Place
Lancaster, New York 14086

District 10

Joan Krzysiak
55 Banner Avenue
Lancaster, New York 14086

and,

BE IT FURTHER

RESOLVED, that these Inspectors shall be paid a salary as set forth
in the Schedule of Salaries for the Town of Lancaster for the year 1973
for the position of Election Inspectors as adopted on May 7, 1973.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~

The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Highway Superintendent, by letter of September 9, 1973,
has recommended the upgrading of certain Town of Lancaster Highway Department
employees, and

WHEREAS, the Highway Committee of the Town Board concurs in such
recommendation,

NOW, THEREFORE, BE IT

RESOLVED, that the following Highway Department employees be upgraded
as indicated, effective September 18, 1973, and that their salaries be as
set forth in the Schedule of Salaries for the year 1973 for said positions:

John Kujawski	Driver Light Equipment
Enio Bruscia	Laborer, 1st Grade
Bruno Kubarek	Laborer, 1st Grade

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~atky~~

The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6041 to 6101 Incl.	\$ 39,222.27
Special District Funds	No. 1261 to 1263 Incl.	4,575.35
Part Town Funds	No. 1502 to 1503 Incl.	616.30
Highway Funds	No. 3124 to 3145 Incl.	17,027.21
Trust & Agency Funds	No. 489 to 490 Incl.	575.00

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
127	R. Brigham	69 Brunck Road	ER. FR. PVT. GAR.
128	Bernard Jankowski	3640 Walden Avenue	EX. FR. PVT. GAR.
129	John Phillips	559 Harris Hill Road	CONV. BR. PVT. GAR. TO LIVING ROOM
130	John Young	702 Schwartz Road	DEM. REBUILD FR. BARN

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

September 17, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
 COUNCILMAN BOLENDER, WHO MOVED ITS
 ADOPTION, SECONDED BY COUNCILMAN METZ
 TO WIT:

BE IT RESOLVED, that the following transfers within the General Fund of the Town of Lancaster be effected:

	To		From
	Account	Amount	Account Amount
<u>Buildings - Town Hall</u>			
Substitute and vacation salary	A.00.1620.14	\$240.00	
Supplies and maint. of machinery	A.00.1620.44	243.84	
Painting and repairs			A.00.1620.43 \$483.84
<u>Superintendent of Highways</u>			
Office and other expenses	A.00.5010.41	57.80	
Contingent Account			A.00.1990.40 57.80

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED	<u>YES</u>
COUNCILMAN BERENT VOTED	<u>YES</u>
COUNCILMAN BOLENDER VOTED	<u>YES</u>
COUNCILMAN METZ VOTED	<u>YES</u>
SUPERVISOR WEIMER VOTED	<u>YES</u>

The resolution was declared unanimously adopted.

DATED: September 17, 1973

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Traffic Study - Walden Avenue

On March 12, 1973 the New York State Department of Transportation indicated that the necessary speed checks for this study were being taken during the week of February 26th and that a report will be forthcoming.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On August 31, 1973 County Attorney Magavern notified Legislator Wnek that he is seeking a Comptroller's opinion relative to the legality of Tax Relief for Sheriff's services.

5. Railroad Crossing - Improved Safety

On July 24, 1973 the Erie-Lackawanna Railroad acknowledged receipt of a letter from the Town Attorney and indicated that they have programmed these crossings for repairs.

6. Rezone Petition - 2300 George Urban Boulevard, Inc.

On September 17, 1973 the Town Board set a Public Hearing on this rezone petition for Monday, October 1, 1973.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mr. Donald Diebel, 2 Elm Place, Lancaster, New York, discussed with the Town Board his letter of application for appointment to the position of member of the Town of Lancaster Planning Board.

The Town Supervisor informed Mr. Diebel that he is ineligible for appointment to the Planning Board, but he would hold Mr. Diebel's application as a general application for appointment to any other Board or Commission wherein a vacancy exists.

COMMUNICATIONS:DISPOSITION

386. Town Clerk to Town Board - Notification - Directives complied with from meeting of September 4, 1973.	R & F
387. Assistant County Attorney to Legislator Alfred F. Wnek - Re: Tax Relief - County Sheriff's Department.	R & F
388. Town Attorney to Erie County Water Authority - Re: Lease-Management Agreements - Erie County Water Authority and Town of Lancaster - Water Districts 1, 3, 7 and 8 and extensions.	R & F
389. Mayor and Board of Trustees of Village of Lancaster to Town Board - Re: Request additional Highway Tax Relief for Village of Lancaster.	Budget Committee
390. Richard E. Curtis to Town Board - Re: Application for Permit to Construct a Public Improvement.	Town Engineers R & F
391. Ron Denzel to Supervisor - Request appointment to Town Planning Board.	Planning Committee
392. Kenneth J. Heidle to Town Board - Request appointment to Town Planning Board.	Planning Committee
393. Roy Nawotka to Town Board - Request appointment to Town Planning Board.	Planning Committee
394. Secretary, Town Planning Board to Town Clerk - Re: Flood Plain Project - Recommendation Amend Zoning Ordinance, Article IV.	Town Attorney
395. Secretary, Town Planning Board to Town Clerk - Recommendation - Approval of petition of 2300 George Urban Blvd., Inc. for extensions of C2 District - Transit Road.	Public Hearing 10/1/73
396. Highway Superintendent to Town Board - Request appointment of Michael Fudoli as Laborer 2nd Grade.	Highway Committee
397. James Spencer to Town Board - Request appointment to Town Planning Board.	Planning Committee
398. Tryon and Schwartz & Associates, Inc. to Lancaster Planning Board - Re: Recommendation - Approval - Petition of 2300 George Urban Blvd., Inc. - Rezone property at 5067 Transit Road from RC to C2.	Public Hearing 10/1/73
399. Supervisor to Town Board - Investment of funds with Marine Midland Bank-Western on September 14, 1973 for total dollar earning of \$1,140.16.	R & F
400. Stan Clute to Town Board - Request appointment to Town Planning Board.	Planning Committee

Supervisor Weimer requested a suspension of the necessary rule for
introduction of the following Communication - SUSPENSION GRANTED.

401. Supervisor to Mr. Donald Diebel -
Reply to application for appointment -
Planning Board.

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 8:45 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk